

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
WINSTON-SALEM DIVISION**

FEDERAL TRADE COMMISSION,  
et al.

Plaintiffs,

v.

SYNGENTA CROP PROTECTION AG,  
et al.

Defendants.

Case No. 1:22-cv-828

**DEFENDANT CORTEVA, INC.'S  
MOTION TO FILE UNDER SEAL  
PORTIONS OF ITS REPLY  
MEMORANDUM IN FURTHER  
SUPPORT OF CORTEVA'S MOTION  
TO DISMISS**

Pursuant to Rule 5.2 of the Federal Rules of Civil Procedure and Rule 5.4 of the Local Rules of Practice and Procedure, Defendant Corteva, Inc. ("Corteva") respectfully moves this Court to file under seal the confidential portions of its Reply Memorandum in Further Support of Corteva's Motion to Dismiss Plaintiffs' Complaint (the "Memorandum"). Pursuant to Local Rule 5.4(c)(3), Corteva respectfully directs the Court to the arguments and legal support in its Memorandum in Support of Corteva's Motion to File Under Seal Portions of Corteva's Memorandum in Support of its Motion to Dismiss, (Doc. 97), and the evidentiary support in the Declaration of Ben Kaehler, (Doc. 88-1) (the "Kaehler Decl.").

Corteva respectfully requests that this Court continue to redact certain portions of the publicly available Memorandum, and keep the unredacted Memorandum filed under seal. The information in the Memorandum that Corteva requests be permanently sealed represents information about Corteva's confidential business decisions. (*See* Kaehler

Decl. ¶ 21.) Corteva has filed under seal a version of the Memorandum with Corteva's proposed redactions highlighted.

Dated: March 7, 2023

Respectfully submitted,

/s/ Mark E. Anderson

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83.1(d).

*Attorneys for Defendant Corteva, Inc.*

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 7th day of March, 2023, I caused the foregoing RESPONSE TO MOTION TO FILE UNDER SEAL, and all attachments thereto, to be filed electronically with the Clerk of Court via the Court's CM/ECF system. Counsel for all parties in this case are registered CM/ECF users and will be served by the CM/ECF System.

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